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**FACSIMILE COVER SHEET**

**FAX NO** : (571) 273-8300  
**TO** : Commissioner for Patents  
Mail Stop: AF  
**FROM** : Oleg F. Kaplun, Esq. of Fay Kaplun & Marcin, LLP  
**DATE** : September 12, 2008  
**SUBJECT** : U.S. Patent Appln. Serial No. 10/045,799  
for *Brain Function Scan System*  
Inventor(s): John et al.  
Our Ref.: 50124/00303

**NUMBER OF PAGES INCLUDING COVER :** 4

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**MESSAGE:**

Please see attached.

Thank you.

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Attorney Docket No.: 50124/00303 (JOH01-16DIV2)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s) : John et al.  
Serial No. : 10/045,799  
Filing Date : January 10, 2002  
For : Brain Function Scan System  
Group Art Unit : 3735  
Examiner : Robert L. Nasser  
Confirmation No. : 5663

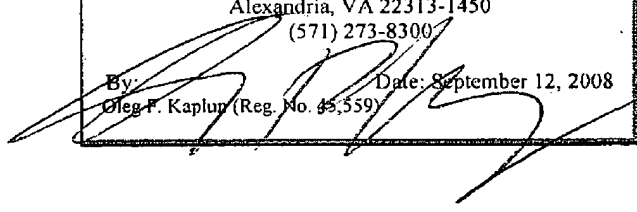
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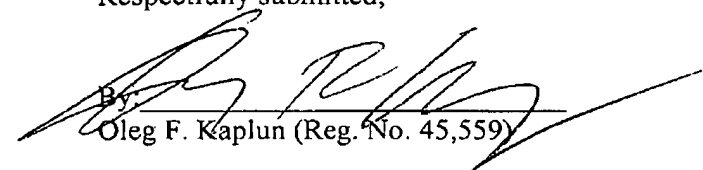
By:  Date: September 12, 2008  
Oleg F. Kaplun (Reg. No. 45,559)

**TRANSMITTAL**

In response to the Final Office Action mailed on March 13, 2008 and the Advisory Action mailed August 25, 2008, please find a Notice of Appeal for filing in the above-identified application. Applicants hereby request a three (3) month extension of time. Please charge the Credit Card of **Fay Kaplun & Marcin, LLP** in the amount of \$780.00 for the required fees (PTO-Form 2038 is enclosed herewith). The Commissioner is hereby authorized to charge the **Deposit Account of Fay Kaplun & Marcin, LLP No. 50-1492** any additional fees.

Respectfully submitted,

Dated: September 12, 2008

By:   
Oleg F. Kaplun (Reg. No. 45,559)

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Attorney Docket No.: 50124/00303 (JOH01-16DIV2)

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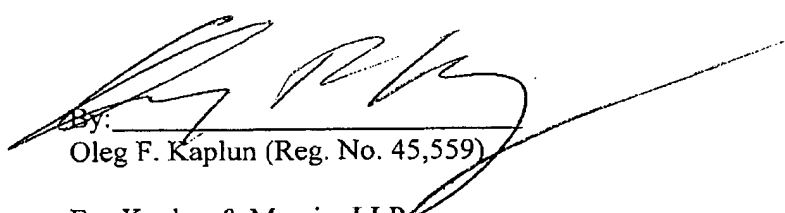
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**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated March 13, 2008 and the Advisory Action dated August 25, 2008 rejecting claims 48, 49, 51, 54, 55, 65, 66, 68 and 69.

Respectfully Submitted,

Dated: September 12, 2008

  
By: \_\_\_\_\_  
Oleg F. Kaplun (Reg. No. 45,559)

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